

*UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS*

MICHAEL BEHAYLO,

Plaintiff,

vs.

THE TOP-FLITE GOLF COMPANY,

Defendant.

CIVIL ACTION NO. 05-30178-KPN

**DEFENDANT'S MOTION FOR LEAVE
TO MANUALLY FILE EXHIBITS TO
SUMMARY JUDGMENT MOTION ON
DECEMBER 1, 2006**

NOW COMES Defendant, The Top-Flite Golf Company, and pursuant to the Local Rules of the District Court of Massachusetts moves for leave to manually file, by hand delivery, the Exhibits to the Defendant's Motion for Summary Judgment on Friday, December 1, 2006, due to the volume of documents being bound. A copy of said materials will be served, by hand, on opposing counsel on said date. All other materials relating to the Motion for Summary Judgment will be electronically filed on November 30, 2006.

Respectfully Submitted,

/s/ Jay M. Presser, Esq.

Jay M. Presser, Esq.

BBO #405760

Counsel for Defendant

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Dated: November 30, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Defendant's Motion for Leave To Manually File Exhibits To Summary Judgment Motion on December 1, 2006 was served upon the attorney of record for each other party via electronic filing on November 30, 2006.

/s/ Jay M. Presser, Esq.
Jay M. Presser, Esq.